

Exhibit H



Transcript of the Deposition of
Elgen Moore

Case: n Re: Watts Coordinated Pretrial Proceedings
Taken On: February 28, 2024

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: WATTS)
COORDINATED PRETRIAL) Case No. 19 CV 1717
PROCEEDINGS)
)

The videotaped deposition of ELGEN MOORE, taken in the above-entitled cause, called for examination by the Defendants pursuant to the Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, taken via videoconference before Sharon L. Patanella, a Certified Shorthand Reporter in the State of Illinois, commencing at 10:02 a.m. on the 28th day of February, 2024.

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<p>1 the lobby, he wouldn't have to say it.</p> <p>2 Q. Did everyone know that Ben --</p> <p>3 A. It was -- I didn't mean to cut you off. Go</p> <p>4 ahead.</p> <p>5 Q. No, you go ahead. I'm sorry if I --</p> <p>6 A. Go ahead.</p> <p>7 Q. So the heroin buyers, they knew Ben was</p> <p>8 selling the CPR? They knew who to go to?</p> <p>9 A. I believe it was people who worked outside</p> <p>10 of the building that would let them know.</p> <p>11 Q. Oh, so Ben Baker, he had his -- on his</p> <p>12 payroll, so to speak, people that would solicit the</p> <p>13 drug buyers outside the building?</p> <p>14 A. Yes.</p> <p>15 Q. And so that the solicitors, they would be</p> <p>16 yelling out CPR, CPR, something like that?</p> <p>17 A. Yes.</p> <p>18 Q. And then inside the lobby was Ben Baker</p> <p>19 with the bags of heroin; right?</p> <p>20 A. No. Someone would be selling for him.</p> <p>21 Q. Right. But you've already testified Ben</p> <p>22 was selling, too. So he had other people on his</p> <p>23 payroll selling inside the lobby?</p> <p>24 A. Yes, people as far as myself when I did it</p>	<p>1 A. Punch out, I would say.</p> <p>2 Q. What was that?</p> <p>3 A. I want to say punch out.</p> <p>4 Q. Punch out?</p> <p>5 A. I would say.</p> <p>6 Q. Did you ever hear a line called "knock</p> <p>7 out"?</p> <p>8 A. Knock out.</p> <p>9 Q. Okay. So Ben Baker's crack cocaine was</p> <p>10 called knock out?</p> <p>11 A. Knock out, yes.</p> <p>12 Q. Is that right?</p> <p>13 Okay. And then Ben Baker's heroin line</p> <p>14 was called CPR?</p> <p>15 A. Yes.</p> <p>16 Q. Do you know why it was called CPR?</p> <p>17 A. No.</p> <p>18 Q. Did Ben Baker sell better quality heroin</p> <p>19 at Ida B. Wells than other drug dealers?</p> <p>20 A. I wouldn't say that.</p> <p>21 Q. Was it like low quality?</p> <p>22 A. I wouldn't say that, no.</p> <p>23 Q. Was he somewhere in the middle in terms of</p> <p>24 quality?</p>
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<p>1 for him.</p> <p>2 Q. Well, I'm still -- I'm talking about 2004.</p> <p>3 A. I'm just talking about in general. People</p> <p>4 were selling.</p> <p>5 Q. Well, how many total people did Ben Baker</p> <p>6 have selling heroin for him?</p> <p>7 A. Anybody who probably get out there early</p> <p>8 enough to ask can they work.</p> <p>9 Q. Well, on any given day, how many people</p> <p>10 could be at Ida B. Wells selling heroin for Ben</p> <p>11 Baker?</p> <p>12 A. I can't put a number on that.</p> <p>13 Q. Did Ben Baker sell heroin at other</p> <p>14 buildings besides the 527 building?</p> <p>15 A. No.</p> <p>16 Q. Did Ben Baker sell cocaine out of the</p> <p>17 527 building?</p> <p>18 A. Yes.</p> <p>19 Q. During the time when Ben Baker was selling</p> <p>20 heroin out of the 527 building, was he also selling</p> <p>21 crack cocaine?</p> <p>22 A. Yes.</p> <p>23 Q. What was the crack cocaine line of Ben</p> <p>24 Baker's called?</p>	<p>1 A. I can't say on that. I have no</p> <p>2 recollection of that.</p> <p>3 Q. How about the crack cocaine that he sold,</p> <p>4 what was the quality like of that?</p> <p>5 A. I have no recollection of that. You're</p> <p>6 going to have to ask the user that.</p> <p>7 Q. Would you describe Ben Baker as the</p> <p>8 biggest drug dealer at the 527 building?</p> <p>9 A. Yes.</p> <p>10 Q. Were there times where Ben Baker would be</p> <p>11 selling narcotics at the 527 building when his wife</p> <p>12 appeared?</p> <p>13 A. No.</p> <p>14 Q. You know, at Ida B. Wells -- you already</p> <p>15 said you went to Doolittle School; right?</p> <p>16 A. Yes.</p> <p>17 Q. In the morning time, kids would be going</p> <p>18 to school; right?</p> <p>19 A. Yes.</p> <p>20 Q. And then in the afternoon after school is</p> <p>21 out, the kids would be coming home; right?</p> <p>22 A. Yes.</p> <p>23 Q. And narcotics sales would be going on when</p> <p>24 the kids were going to school and coming home from</p>

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Page 78	<p>1 waiting on him to come out, come downstairs.</p> <p>2 Q. So all the heroin that you sold for Ben</p> <p>3 Baker, you would get it from Bryant Patrick; is</p> <p>4 that your testimony?</p> <p>5 A. Yes.</p> <p>6 Q. Would Ben Baker ever give you the heroin</p> <p>7 directly?</p> <p>8 A. No.</p> <p>9 Q. Is it called "working a bundle" when</p> <p>10 you're selling heroin?</p> <p>11 A. Yes.</p> <p>12 Q. So what was the amount of the bundle that</p> <p>13 Bryant would give you to sell?</p> <p>14 A. Can you elaborate as far as what you mean?</p> <p>15 Q. Sure.</p> <p>16 When you would receive a bundle from</p> <p>17 Bryant Patrick, a bundle of heroin, how many</p> <p>18 packets would be in the bundle?</p> <p>19 A. Sometimes 50. Sometimes 100.</p> <p>20 Q. And were they dime bags?</p> <p>21 A. Yes.</p> <p>22 Q. Would you have people -- strike that.</p> <p>23 Would you and Bryant have people</p> <p>24 soliciting the heroin that you were selling for</p>	Page 80	<p>1 working. They would be paid at the end of the</p> <p>2 shift as well as the person working the bundle.</p> <p>3 Q. Right. So you would give, say, for</p> <p>4 instance, Rib and Buck, you'd give them a couple</p> <p>5 bags for a wake-up call?</p> <p>6 A. Yeah, they'd get a few bags for a wake up.</p> <p>7 Q. Right. Were they junkies?</p> <p>8 A. Yes.</p> <p>9 Q. All right. So you'd give them a wake-up</p> <p>10 call to start their day; right? And then later on</p> <p>11 they would get paid after the bundle was all sold?</p> <p>12 A. Yes.</p> <p>13 Q. And then cash money -- or strike that.</p> <p>14 At the end of the shift, so to speak, as</p> <p>15 you said, when the bundle that you had to sell was</p> <p>16 all gone, how would you pay the individuals you</p> <p>17 would use to solicit the heroin sales?</p> <p>18 A. They would be paid their cash at the end</p> <p>19 of the shift.</p> <p>20 Q. All right. So what did -- what was the --</p> <p>21 strike that.</p> <p>22 What was the going rate for -- strike</p> <p>23 that.</p> <p>24 What would you pay them to solicit?</p>
Page 79	<p>1 Ben Baker?</p> <p>2 A. Elaborate a little more on what you mean</p> <p>3 by "soliciting."</p> <p>4 Q. Well, you were talking about earlier when</p> <p>5 Ben Baker would be in the lobby selling heroin,</p> <p>6 he'd have people outside yelling out CPR; do you</p> <p>7 remember that?</p> <p>8 A. Yes.</p> <p>9 Q. So, you know, as Ben Baker did -- using</p> <p>10 people to solicit -- would you do the same thing?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And who were some of the</p> <p>13 individuals who solicited the heroin sales for you</p> <p>14 on behalf of Ben Baker?</p> <p>15 A. I don't know all the names off the top. I</p> <p>16 know for sure a guy name was Buck and a guy name</p> <p>17 was Rib.</p> <p>18 Q. Buck and Rib?</p> <p>19 A. Yes.</p> <p>20 Q. Like R-I-B, rib?</p> <p>21 A. Yes.</p> <p>22 Q. And then how would Buck and Rib get paid</p> <p>23 for soliciting heroin sales at Ida B. Wells?</p> <p>24 A. They would get paid as the person who was</p>	Page 81	<p>1 A. \$100.</p> <p>2 Q. Well, that's pretty good money; right?</p> <p>3 A. I mean, they did it on the regular, so,</p> <p>4 yes.</p> <p>5 Q. And so they'd each get \$100?</p> <p>6 A. Yes.</p> <p>7 Q. And then -- and I know every day could be</p> <p>8 different, but how long would it take you to sell a</p> <p>9 bundle at Ida B. Wells?</p> <p>10 A. Some days was good. Some days was bad.</p> <p>11 Q. So what was a good day?</p> <p>12 A. A good day, quite a few bundles.</p> <p>13 Q. Were there ever days where you didn't sell</p> <p>14 everything you had in a bundle or bundles?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. If you had left over heroin that</p> <p>17 you didn't sell, where would that be stored?</p> <p>18 A. It would go back to the person that</p> <p>19 distributed it to you.</p> <p>20 Q. So if you had any left over, you'd give</p> <p>21 the bags back to Bryant?</p> <p>22 A. Yes.</p> <p>23 Q. What about Ben? Did you ever give them</p> <p>24 back to Ben?</p>

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1 A. No.

2 **Q. And so when you said that Jones or -- I'm**

3 **sorry. When you said that Al and Watts would go to**

4 **your apartment, can you describe that in more**

5 **detail as to what occurred during those times?**

6 A. Coming in, searching.

7 **Q. And when was this? During 2004?**

8 A. 2004, other times. Yes.

9 **Q. Okay. During all the times that they were**

10 **at your mother's apartment searching, you were a**

11 **drug dealer; right?**

12 A. Yes.

13 **Q. Did they ever find any drugs inside your**

14 **mom's apartment?**

15 A. No.

16 **Q. Where would you store your heroin and**

17 **cocaine when you weren't -- when you still had some**

18 **left over?**

19 A. I would sell. I would sell what I had for

20 the day.

21 **Q. So not a day ever went by where you didn't**

22 **sell all the narcotics that you had?**

23 A. No.

24 **Q. Did you ever have occasions where whatever**

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1 **amount of cocaine and heroin you had sold out, and**

2 **then you had to go replenish it and get more heroin**

3 **or cocaine?**

4 A. Yes.

5 **Q. And that would occur when you and Bryant**

6 **were selling the heroin for Ben Baker; right?**

7 A. Yes.

8 **Q. I mean, you're selling heroin and they're**

9 **going like hot cakes, and then you've got to go --**

10 **how would you get the other heroin from Ben Baker**

11 **to sell?**

12 A. Bryant would give it to me.

13 **Q. Right. But would Bryant go up to Ben's**

14 **apartment to get more heroin?**

15 A. Yes.

16 **Q. Okay. Did you ever go with Bryant to, you**

17 **know, get the bundles of heroin from Ben Baker's**

18 **apartment when you ran out?**

19 A. No.

20 **Q. Okay. Did Ben Baker trust Bryant more**

21 **than you?**

22 MS. GIZZI: Objection, form.

23 Go ahead.

24 THE WITNESS: Yes.

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1 BY MR. BAZAREK:

2 **Q. And why do you think that is?**

3 A. I can't say.

4 **Q. Right. Because what you're telling me is**

5 **Bryant would be the one that would get the heroin**

6 **from Ben Baker to sell, not you; right?**

7 A. Yes.

8 **Q. Yeah. I'm just wondering why it was**

9 **always him, not you, getting heroin yourself from**

10 **Ben Baker.**

11 MS. GIZZI: Objection, form.

12 Go ahead.

13 THE WITNESS: Because Bryant worked for

14 him.

15 BY MR. BAZAREK:

16 **Q. Well, so did you.**

17 A. Yeah.

18 **Q. Was it because he worked for him longer?**

19 A. Maybe so.

20 **Q. Other than you and Bryant Patrick, who**

21 **else sold heroin for Ben Baker?**

22 A. Multiple people.

23 **Q. Who were the other people that sold heroin**

24 **for Ben Baker?**

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1 A. People who -- other people who stayed in

2 the building. People who didn't stay in the

3 building, stayed in the neighborhood.

4 **Q. Did Ben Baker have dozens of people**

5 **selling heroin for him?**

6 A. Yes.

7 **Q. Did Ben Baker have hundreds of people**

8 **selling heroin for him?**

9 A. No.

10 **Q. What's your best approximation of how many**

11 **people were selling heroin for Ben Baker?**

12 A. Dozens.

13 **Q. Okay. Other than yourself and Bryant**

14 **Patrick, can you name any other individual out of**

15 **these dozens of people who sold heroin for Ben**

16 **Baker?**

17 A. Paul, Mike.

18 **Q. Names or nicknames?**

19 A. These nicknames. You don't -- you don't

20 be actually knowing the person real name. These

21 just their nicknames.

22 **Q. Okay.**

23 A. Paul, Mike, Rooney, Cam, Manny, Corey,

24 just names off the bat.

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<p>1 Q. Was that Corey Owens?</p> <p>2 A. Yes.</p> <p>3 Q. He sold heroin for Ben Baker; right?</p> <p>4 A. Yes.</p> <p>5 Q. You know Gregory Young, right, Baybay?</p> <p>6 A. Yes.</p> <p>7 Q. Did he sell heroin for Ben Baker?</p> <p>8 A. Yes.</p> <p>9 Q. What about Twainy? Do you know Twainy?</p> <p>10 A. Yes.</p> <p>11 Q. And Antoine Bradley is his name; right?</p> <p>12 A. I don't know his real name.</p> <p>13 Q. Did Twainy sell heroin for Ben Baker?</p> <p>14 A. Twainy, yes.</p> <p>15 Q. Any other individuals you remember who</p> <p>16 sold heroin for Ben Baker?</p> <p>17 A. Those are some individuals I remember off</p> <p>18 the bat. I can't remember everyone.</p> <p>19 Q. Okay. Okay. So you're being told now</p> <p>20 you're being arrested, you and Bryant; right?</p> <p>21 A. Yes.</p> <p>22 Q. And you're picked up by Watts. He's</p> <p>23 saying you two are going to be arrested; right?</p> <p>24 A. Yes.</p>	<p>1 the reports, Watts -- no, Mohammed asked was any of</p> <p>2 the officers hungry, and they said yeah. What are</p> <p>3 you getting? And Watts asked them what they was --</p> <p>4 and Watts said why don't you order pizza? And</p> <p>5 Watts wind up asking me and Bryant were we hungry.</p> <p>6 And I was, like, no. I just want to go home. What</p> <p>7 are we being charged with? And he, like, well, you</p> <p>8 going to jail. You'll see what you're charged</p> <p>9 with, but you sure you ain't hungry before you go</p> <p>10 to Cook County because -- and I seen him flashing</p> <p>11 some of the money in his hand like, well, you</p> <p>12 paying for it anyway.</p> <p>13 Q. Are you talking about the \$1,000 that you</p> <p>14 had?</p> <p>15 A. The thousand-and-so dollars. I seen him</p> <p>16 flash some of the cash saying that basically I was</p> <p>17 paying for it anyway.</p> <p>18 Q. How was the \$1,000 taken from you?</p> <p>19 A. How was it taken?</p> <p>20 Q. Yes.</p> <p>21 A. From them going into my inventory.</p> <p>22 Q. Right. But where did you have the \$1,000?</p> <p>23 Before you saw the police that day, where did you</p> <p>24 get keep the \$1,000?</p>
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<p>1 Q. Then what happened?</p> <p>2 A. We was put into the police car and</p> <p>3 transferred to the police station.</p> <p>4 Q. Do you remember who transported you?</p> <p>5 A. I don't actually remember who transported</p> <p>6 us.</p> <p>7 Q. Okay.</p> <p>8 A. Actually, we was took in a paddy wagon</p> <p>9 because multiple people went -- were arrested that</p> <p>10 day.</p> <p>11 Q. Do you know any other people who were</p> <p>12 arrested that day?</p> <p>13 A. I was. No.</p> <p>14 Q. Okay. All right. So you're put in, as</p> <p>15 you say, the paddy wagon. You're taken to the</p> <p>16 station. What happened at the station?</p> <p>17 A. We were taken into the room where they</p> <p>18 handcuff you to the bench and do their paperwork.</p> <p>19 Q. You were being processed? Processing?</p> <p>20 A. Well, that's where they write the report</p> <p>21 before -- I guess being processed, yes.</p> <p>22 Q. Okay. And was there anything said by any</p> <p>23 police officer after you arrived at the station?</p> <p>24 A. After writing -- while they was writing</p>	<p>1 A. Oh, in my pocket.</p> <p>2 Q. Right. And then how did it leave your</p> <p>3 pocket?</p> <p>4 A. Because they took it out. They took it</p> <p>5 out of my pocket when we got to the station.</p> <p>6 Q. Okay. That's what I missed.</p> <p>7 Who took it out of your pocket?</p> <p>8 A. I want to say Mohammed took it out of my</p> <p>9 pocket 'cause that's who walked me into the police</p> <p>10 station and said -- and was telling Watts that he</p> <p>11 got cash on him.</p> <p>12 Q. Okay. And did Mohammed, did he search you</p> <p>13 at the station?</p> <p>14 A. He searched me. They searched us multiple</p> <p>15 times at the apartment, and they searched, and he</p> <p>16 just pulled the cash out of my pocket when we got</p> <p>17 to the station, and then he put me to the bench.</p> <p>18 Q. Okay. But you had -- the cash remained in</p> <p>19 your pocket until you got to the police station; is</p> <p>20 that true?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. And then did you have the cash in a</p> <p>23 wallet or just not in a wallet?</p> <p>24 A. Not in a wallet.</p>

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1 at County Jail for Christmas?

2 A. No.

3 Q. Okay. Other than Christmas, any other

4 family gatherings that you would have missed during

5 that 60 days?

6 A. New Year's Eve, New Year's.

7 Q. Anything else?

8 A. My family birthdays, Valentine's Day.

9 Q. Who was your sweetheart at that time?

10 A. Tanesha Cash.

11 Q. And if I got this right, after -- strike

12 that.

13 Right after you got out of jail, that's

14 when you started selling heroin for Ben Baker;

15 right?

16 A. Yes.

17 Q. Okay.

18 MR. BAZAREK: We can take that down.

19 Let's look at Exhibit 12.

20 (Exhibit 12 referenced for

21 identification.)

22 BY MR. BAZAREK:

23 Q. Well, I didn't ask you this earlier.

24 Didn't you get caught up in Operation

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1 Sin City?

2 A. Yes.

3 Q. And were you arrested? Were you arrested

4 as part of the Sin City takedown?

5 A. Yes.

6 Q. And you were arrested for selling

7 narcotics to an undercover officer; right?

8 A. Yes.

9 Q. What did you sell to the undercover

10 officer?

11 A. Heroin.

12 Q. And the heroin that you sold to the

13 other -- strike that.

14 The heroin that you sold to the

15 undercover officers, was that heroin you were

16 selling for Ben Baker?

17 A. Yes.

18 Q. So what I would like to do, sir,

19 Mr. Moore, if you'd look at Exhibit 12, I want you

20 just to -- I know it's not the best quality, but I

21 would like you look from No. 1. You see there's

22 photographs of people with names, and it goes 1

23 through 63.

24 Can you -- if you see anyone you know, can

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1 you just yell out their number and name? Can you

2 do that?

3 A. I see myself, Elgen Moore.

4 Q. What number?

5 A. No. 28. I see No. 32, Bryant Patrick.

6 Q. Do you know anyone other than you and

7 Bryant Patrick on there?

8 A. I see No. 55, Young, Gregory.

9 Q. That's Baybay; right?

10 A. Yes, I guess. I'm assuming. I can't see

11 the picture real good. I just see a name.

12 No. 59, Glen, Don.

13 Q. How do you know him?

14 A. He worked -- he worked at 527.

15 Q. Was he in the drug trade?

16 A. Yes.

17 Q. Who did he sell drugs for?

18 A. He solicited for Ben.

19 Q. Okay. So he would have been one of those

20 guys that you would give a wake-up call to, and

21 then pay him 100 bucks for a job well done after

22 the bundle was sold?

23 A. Yes.

24 Q. Okay. Looking up, though, I think you

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1 missed a few.

2 Do you see No. 13? That's Tolorn

3 Fumbanks; right? You know him.

4 A. Yes. I missed that one. I didn't even

5 see him.

6 Q. Okay. What about -- look at 18, Allen

7 Jackson. Do you remember him? He was a drug

8 dealer at the 574 building. He got killed a couple

9 years ago.

10 Do you remember him? Allen Jackson?

11 A. I don't know him by that name.

12 Q. How about --

13 A. That's Allen J.

14 Q. Allen J. Do you know him by that name?

15 A. I heard of him. Allen J., yes.

16 Q. You didn't know him, though, or you just

17 heard of him?

18 A. I seen him around.

19 Q. Okay. Goleather Jefferson, do you

20 remember him? He had a brother named Marcus who

21 passed away.

22 A. Who?

23 Q. Marcus Jefferson.

24 A. I don't know who that is.

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1 I further certify that I am not a relative
2 or employee or attorney or counsel of any of the
3 parties, or a relative or employee of such attorney
4 or counsel, or financially interested directly or
5 indirectly in this action.

6 Witness my official signature as a
7 Certified Shorthand Reporter in the State of
8 Illinois on March 20, 2024.

9
10 

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